



STATE OF ALABAMA
ALABAMA PUBLIC SERVICE COMMISSION
P.O. BOX 304260
MONTGOMERY, ALABAMA 36130-4260

December 30, 2009

LUCY BAXLEY, PRESIDENT

JAN COOK, ASSOCIATE COMMISSIONER

SUSAN D. PARKER, PhD, ASSOCIATE COMMISSIONER

WALTER L. THOMAS, JR.

SECRETARY

MEMORANDUM

TO: Commissioner Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

THRU: Judy McLean, Director
Advisory Division *JMc*

FROM: Aquilla Spivey, Manager
Consumer Services *AS*

SUBJECT: Monthly Commission Meeting

The following items will be presented to the Commission during the regular monthly meeting to be held on Tuesday January 5, 2010:

Monthly Activity Report of complaints, inquiries, meetings and field investigations.

Alabama Public Service Commission

Report Date: 12/30/2009

Consumer Service Section

Monthly Activity Report

Between 12/1/2009 And 12/31/2009

Utility Company Code	Needs Service	High Bills	Deposit	Service Problems	Payment Arrangement	Denied Toll	Slamming	Cramming	Billing Problems	Non-Pay Disconnect	900/Pay Per Call	No Jurisdiction	Other	Inquiries	Total
Alabama Power	1	5		3					9			1	3	40	62
Alagasco									3					9	12
Ardmore															
AT & T Southeast	1			32				2	19			5	2	20	81
Castleberry															
CenturyTel				1				1	3						5
Deltacom									1						1
Farmers															
Floral															
Frontier														1	1
Graceba															
Gulf															
Hayneville															
Knology of Valley															
MCI									1						1
Millry															
Mobile Gas Service									1					2	3
Mon-Cre															
Moundville															
National															
New Hope															
OTELCO															
Pine Belt															
Ragland															
Roanoke												1			1
Sprint															
TDS Telecom															
Union Springs															
Windstream															
Water Companies															
Local Resellers				3			2		1			1		2	9
Miscellaneous Inquiries															378
Misc Jurisdiction				3			1	6	3					3	16
900/Pay Per Call															
No Jurisdiction				3					7	1			1	11	23
Other															
Toll Resellers						2			1						3
TOTALS	2	5		45		2	3	9	49	1		8	6	88	596

Field Investigations - 3

Meetings Held/Attended - 0



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December 23, 2009

MEMORANDUM

**TO: President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker**

**FROM: Janice M. Hamilton, Director
Energy Division**

SUBJECT: Agenda - January 5, 2010 Commission Meeting

The Energy Division will present the following items at the January 5, 2010 Commission Meeting

NATURAL GAS

ALABAMA GAS CORPORATION

**Docket 18046 Division Report on Rate RSE as of November 30, 2009
and
18328**

MOBILE GAS SERVICE CORPORATION

Docket 28101 Division Report on Rate RSE as of November 30, 2009

ELECTRICITY

ALABAMA POWER COMPANY

Docket 18117 Division Report on Rate RSE and Rate ECR as of November 30, 2009
 and
 18416;
 18148

Docket U-4954 Request for Approval of Proposed Accounting Authorization Related to
 Plant Miller UPS Capacity

Recommendation: Approval



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December 22, 2009

LUCY BAXLEY, PRESIDENT
JAN COOK, ASSOCIATE COMMISSIONER
SUSAN D. PARKER, PHD, ASSOCIATE COMMISSIONER

WALTER L. THOMAS, JR.
SECRETARY

MEMORANDUM

To: President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

Through: Janice M. Hamilton, Director
Energy Division

From: Robert E. Reed, Manager
Natural Gas Section

Subject: Division Report on Rate RSE for Alabama Gas Corporation as of November 30, 2009

As part of the Division's monitoring function, the staff has developed the return on average common equity for Alabama Gas Corporation for the twelve months ending November 30, 2009.

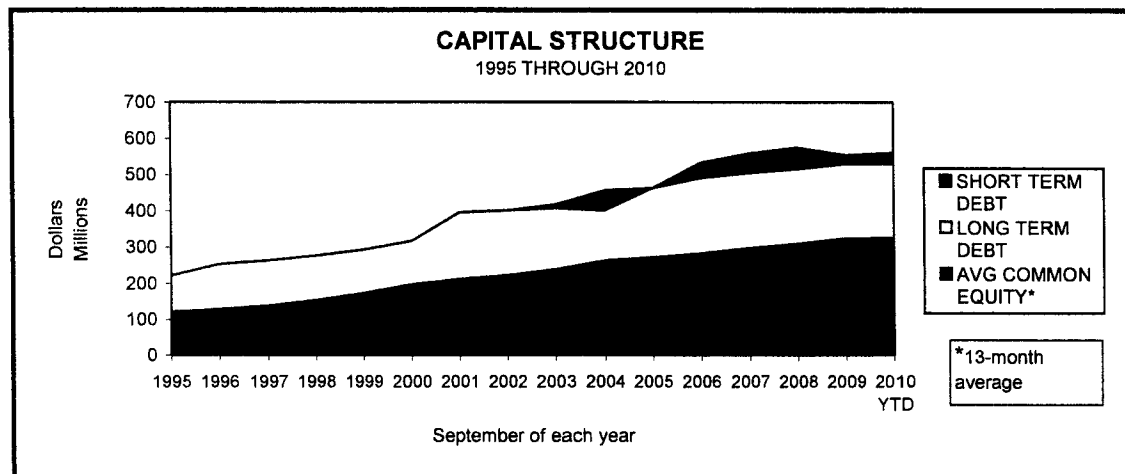
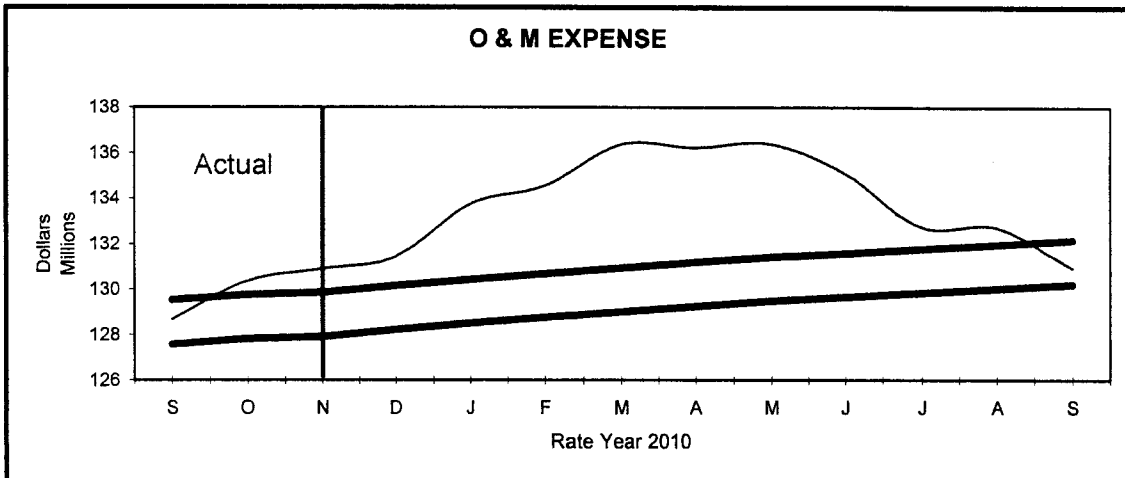
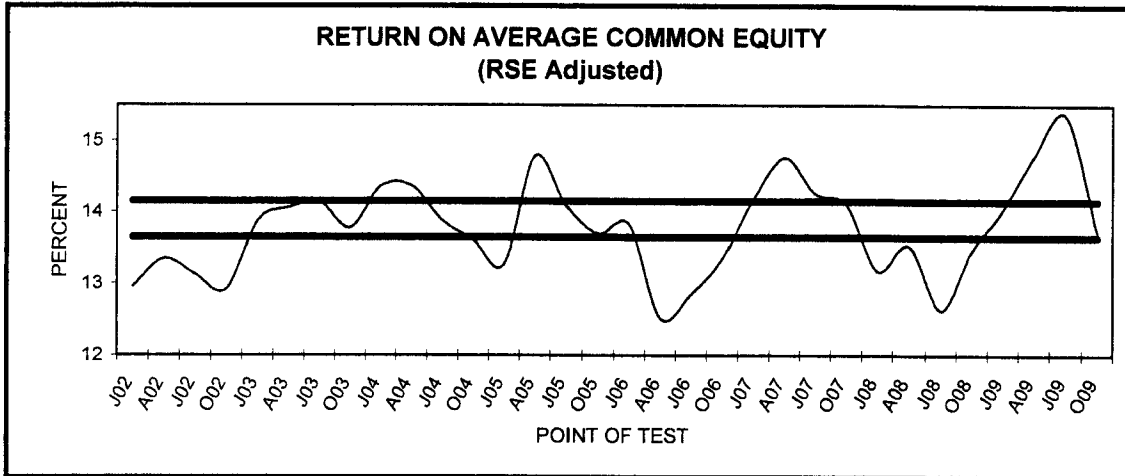
Based on preliminary figures, the return on average common equity for financial reporting purposes for the twelve months ending November 30, 2009, is 13.6 percent. When club dues, donations, and lobbying expenses are added, the RSE return is 13.7 percent.

Return on Equity at November 2009		
	Financial	<i>RSE</i>
Average Common Equity	\$324,187,845	<i>\$324,187,845</i>
Net Income	\$44,044,303	<i>\$44,044,303</i>
Net Expense Adjustment		<i>\$290,454</i>
RSE Net Income		<i>\$44,334,757</i>
RSE Return on Common Equity	13.59%	<i>13.68%</i>

Attachment:

ALABAMA GAS CORPORATION

November 2009





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December 22, 2009

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MEMORANDUM

To: President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

Through: Janice M. Hamilton, Director
Energy Division

From: Robert E. Reed, Manager
Natural Gas Section

Subject: Division Report on Rate RSE for Mobile Gas Service Corporation as of November 30, 2009

As part of the Division's monitoring function, the staff has developed the return on average common equity for Mobile Gas Service Corporation for the twelve months ending November 30, 2009.

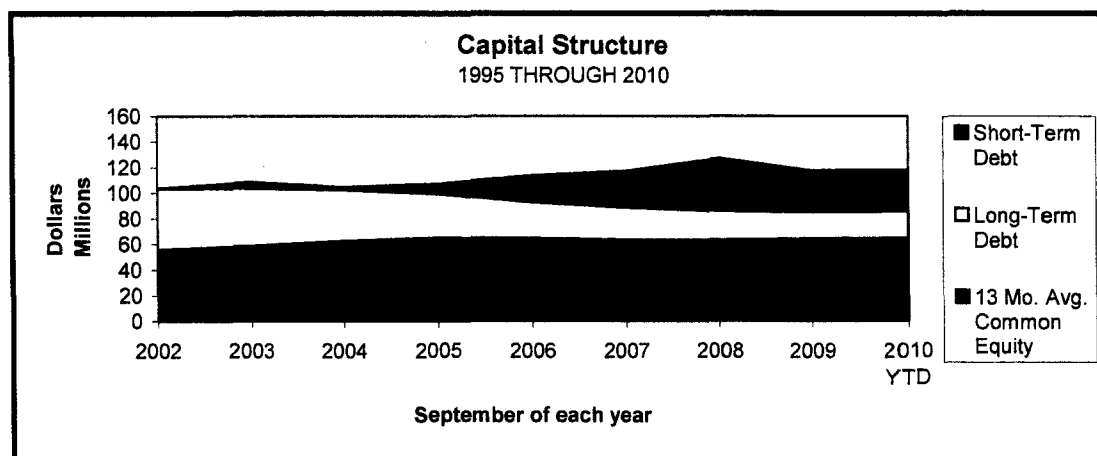
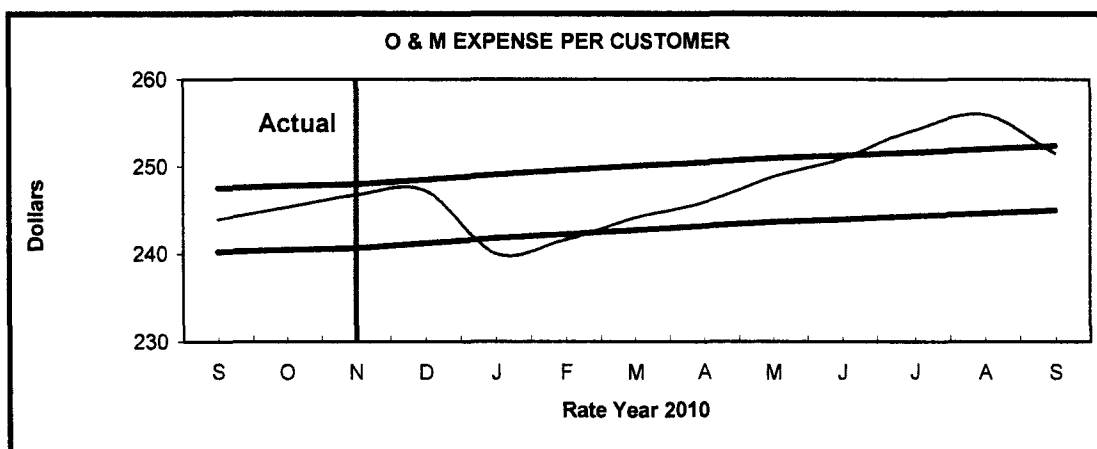
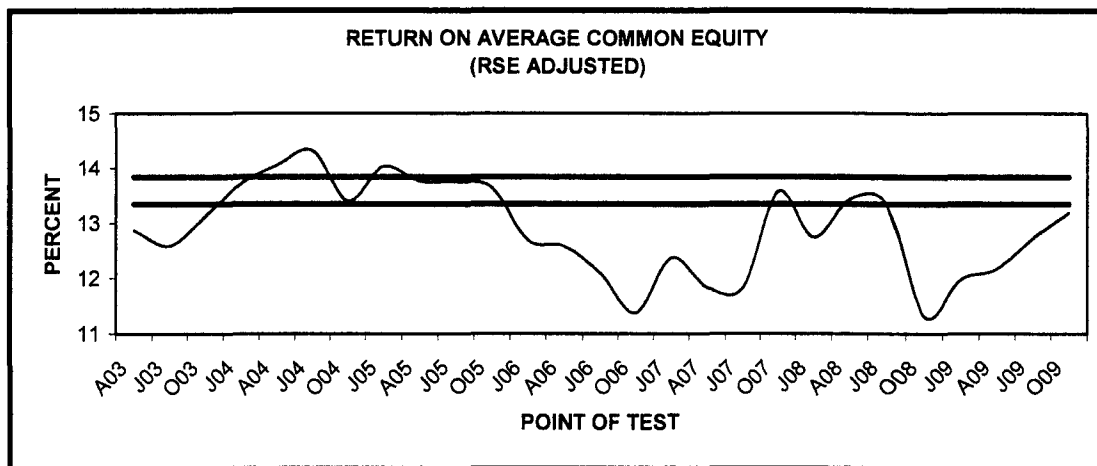
Based on preliminary figures, the return on average common equity for financial reporting purposes for the twelve months ending November 30, 2009, is 12.7 percent. When club dues, donations, and lobbying expenses are added, the RSE return is 12.9 percent.

Return on Equity at November 2009		
	Financial	RSE
Average Common Equity	\$64,775,383	\$64,775,383
Net Income	\$8,216,174	\$8,216,174
Net Expense Adjustment		\$125,968
RSE Net Income		\$8,342,142
RSE Return on Common Equity	12.68%	12.88%

Attachment

MOBILE GAS SERVICE CORPORATION

November 2009





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SECRETARY

MEMORANDUM

TO: President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

THROUGH: Janice M. Hamilton, Director
Energy Division

FROM: Bernard W. Givan, Manager
Electricity Section

SUBJECT: Division Report on Rate RSE and Rate ECR for Alabama Power Company as of
November 30, 2009

The Energy Division performed the regular monthly examination of the books and records of Alabama Power Company. The financial highlights are presented in the tables below:

Rate RSE Forecast
12 Months Ending DECEMBER 31, 2009
13.36%

Rate ECR Summary	
Recovery for NOVEMBER 2009	Balance as of NOVEMBER 30, 2009
\$44,431,206	\$161,115,801
Over-Recovered	Over-Recovered

The attached report, prepared for review by the Commission, presents the Energy Division's computations and determinations of the December 2009 Retail Return on Average Common Equity. In addition, the current and projected status pertaining to the accumulated Over and Under Recovery for Rate ECR is presented.

ENERGY DIVISION

**Alabama Power Company
Forecast of Retail Return on Average Common Equity
For the 12 Months Ending December 31, 2009**

Common Equity as of November 30, 2009		\$5,217,864,138
Add Budgeted Net Income:		
December 2009	\$5,927,000	
Add Budgeted Capital Contributions:		
December 2009	\$6,647,000	
Add Other Adjustments:		
December 2009	<u>\$105,000</u>	\$12,679,000
Deduct Budgeted Stock Dividends:		
December 2009	<u>\$0</u>	<u>\$0</u>
Projected Common Equity as of December 31, 2009		\$5,230,543,138
Projected Average Common Equity For the 12 Months Ending December 31, 2009		\$5,007,510,462
Projected Retail Investment Separation Factor		88.70%
Projected Average Retail Common Equity For the 12 Months Ending December 31, 2009		\$4,441,661,779
Projected Retail Net Income For the 12 Months Ending December 31, 2009		\$593,627,137
Projected Retail Return On Average Common Equity For the 12 Months Ending December 31, 2009		13.36%

The Common Equity as of November 30, 2009 (Actual) was adjusted using net income, payment of Common Stock and Preferred Stock dividends, Capital Contributions, and Other Adjustments from the Company's 2009 budget. The average common equity is a 12-month average using actual and budgeted data. The average retail common equity (RCE) was calculated using an estimated retail separation factor of 88.70%. The retail net income (RNI) for average common equity was calculated by using actual data for the eleven months ended November 30, 2009, and then adding a month of budget data for December 2009. The Other Adjustments added to projected common equity is the result of the Company adopting FASB Statement 123 (R), which requires the reporting of stock option expenses.

The Forecast is subject to change due to uncertainties associated with weather, customer usage patterns, and economic conditions across the state.

ENERGY DIVISION

**Alabama Power Company
Forecast of Energy Cost Recovery
For the Period Ending December 31, 2009**

	Energy Cost (\$/MWH)		ECR Seasonal Factor (\$/MWH)	Over/(Under) Recovery	
	Month	12 Months Ended		Month (\$)	Cumulative (\$)
JAN 08 Act	28.46	27.63	29.472	(188,721)	(280,053,856)
FEB 08 Act	25.27	27.56	29.472	23,607,986	(256,445,869)
MAR 08 Act	20.74	27.41	29.472	34,208,587	(222,237,282)
APR 08 Act	22.45	27.02	29.472	29,229,360	(193,007,922)
MAY 08 Act	24.11	26.79	29.472	12,325,990	(180,681,932)
JUN 08 Act	36.34	27.59	33.418	(24,664,734)	(205,346,666)
JUL 08 Act	37.78	28.72	33.418	(33,878,517)	(239,225,183)
AUG 08 Act	37.80	28.92	33.418	(18,318,995)	(257,544,178)
SEP 08 Act	43.80	30.51	33.418	(43,112,535)	(300,656,713)
OCT 08 Act	37.79	31.10	37.866	(6,656,296)	(307,313,009)
NOV 08 Act	41.92	32.16	37.866	(21,274,681)	(328,587,690)
DEC 08 Act	33.40	32.80	37.866	22,954,887	(305,632,803)
JAN 09 Act	32.14	33.13	37.866	17,588,864	(288,043,939)
FEB 09 Act	29.23	33.48	37.866	46,249,431	(241,794,508)
MAR 09 Act	23.72	33.80	37.866	52,791,864	(189,002,644)
APR 09 Act	27.98	34.27	37.866	30,703,964	(158,298,681)
MAY 09 Act	25.20	34.42	37.866	36,175,778	(122,122,904)
JUN 09 Act	34.09	34.19	40.242	20,010,617	(102,112,288)
JUL 09 Act	29.26	33.32	40.242	50,306,061	(51,806,227)
AUG 09 Act	31.82	32.72	40.242	40,669,269	(11,136,958)
SEP 09 Act	26.39	31.10	40.242	65,908,449	54,771,491
OCT 09 Act	21.26	29.80	35.490	61,913,104	116,684,595
NOV 09 Act	21.90	28.27	35.490	44,431,206	161,115,801
DEC 09 Bud	37.67	28.72	35.490	(15,705,490)	145,410,311

The estimates used in the above table are subject to change due to uncertainties associated with weather, customer usage patterns, and economic conditions across the state.



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MEMORANDUM

DATE: December 16, 2009

TO: Commissioner Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

FROM: Darrell A. Baker *DAB*
Telecommunications Division

SUBJECT: Agenda for January 5, 2010 Commission Meeting.

The following items will be presented to the Commission during the regular January 5, 2010 Commission Meeting.

INTERCONNECTION AGREEMENT (S)

Docket U-4950 BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST and MCC TELEPHONY OF THE SOUTH, INC. d/b/a MEDIACOM COMMUNICATIONS -- Approval of the Interconnection Agreement negotiated by BellSouth Telecommunications, Inc. d/b/a AT&T Alabama and MCC Telephony of the South, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Recommend Approval.

Docket U-4951 BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST and BRYDELS COMMUNICATIONS, LLC d/b/a GOLPE MAGNIFICO - TU COMPANIA DE TELEFONOS -- Approval of the Interconnection Agreement negotiated by BellSouth Telecommunications, Inc. d/b/a AT&T Alabama and Brydels Communications, LLC d/b/a Golpe Magnifico-Tu Compania de Telefonos pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Recommend Approval.

- Docket U-4953 BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST and USCARRIER TELECOM, LLC
-- Approval of the Interconnection Agreement and Amendment negotiated by BellSouth Telecommunications, Inc. d/b/a AT&T Alabama and USCarrier Telecom, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Recommend Approval.

AMENDED INTERCONNECTION AGREEMENT (S)

- Docket U-3833 BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST and MCIMETRO ACCESS TRANSMISSION SERVICES, LLC d/b/a VERIZON ACCESS TRANSMISSION SERVICES -- Approval of an Amendment to the Interconnection Agreement negotiated by BellSouth Telecommunications, Inc. d/b/a AT&T Alabama and MCImetro Access Transmission Services, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Recommend Approval.

RESALE AGREEMENT (S)

- Docket U-4949 CENTURYTEL OF ALABAMA, LLC d/b/a CENTURYLINK and METROPOLITAN TELECOMMUNICATIONS OF ALABAMA, INC. -- Approval of the Resale Agreement negotiated by CenturyTel of Alabama, LLC (CenturyLink) and Metropolitan Telecommunications of Alabama, Inc., dba METTEL pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Recommend Approval.
- Docket U-4952 CENTURYTEL OF ALABAMA, LLC d/b/a CENTURYLINK and MILLRY TELEPHONE COMPANY -- Approval of the Resale Agreement negotiated by CenturyTel of Alabama, LLC and Millry Telephone Company, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Recommend Approval.

CANCELLATION/WITHDRAWAL (S)

- Docket 29026 NOW COMMUNICATIONS INC d/b/a CLEARTEL COMMUNICATIONS -- Cancels Certificate of Public Convenience and Necessity and withdraws tariff.
Recommend Approval.
- Docket 29605 IDS TELCOM CORP. d/b/a CLEARTEL COMMUNICATIONS -- Cancels Certificate of Public Convenience and Necessity and withdraws Tariff.
Recommend Approval.
- Docket U-4504 GULF COAST TELECOM -- Discontinues the provision of Customer Owned Pay Telephone Service in the state of Alabama.
Recommend Approval.

MISCELLANEOUS

- Docket 30934 ALL TELECOMMUNICATIONS COMPANIES -- Registration of Third-Party Providers for Telecommunications Billings. Third-Party Providers and Billing Aggregators request approval of their registration with the Commission for purposes of including their charges on the consumer bills of regulated telecommunications carriers.

Recommend Approval.

SUMMARY OF OTHER FILING (S)

- D-6505 NEUTRAL TANDEM-ALABAMA, LLC -- Replaces the current Access Services Tariff in its entirety. Filed September 1, 2009, with a requested effective date of September 2, 2009.
- D-6524 CONSUMER TELCOM, INC. -- Reduces the monthly recurring charge for Basic Residential Calling Card Service Plan I, and makes minor textual changes to correct various plan names. Filed November 5, 2009, with a requested effective date of November 11, 2009.
- D-6525 CONSUMER TELCOM, INC. -- Introduces four new rate plans and clarifies subscriber procedures for disconnection of service. Filed October 26, 2009, with a requested effective date of November 2, 2009.

- D-6526 DELTACOM, INC. -- Eliminates charges for Secondary Service, Line Connection, Line/Account/Feature Change, and PIC Change. Reduces Volume Discount Percentages which results in an increase in rates for business customers. Filed November 24, 2009, with a requested effective date of December 1, 2009.
- D-6528 BUSINESS TELECOM, INC. d/b/a BTI TELECOMMUNICATIONS SERVICES, INC. -- Deletes Service Charges and Surcharges for Line Connection, Change Order, Record Change, and Presubscription Charges. Filed November 24, 2009, with a requested effective date of December 1, 2009.
- D-6529 MON-CRE TELEPHONE COOPERATIVE, INC. -- Deletes a requirement that business services changing to residential services obtain a new number. Filed December 10, 2009, with a requested effective date of December 24, 2009.



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SECRETARY

MEMORANDUM

DATE: December 23, 2009

TO: Commission President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker
Division Directors

FROM: Legal Division

SUBJECT: Agenda - January 5, 2010 Commission Meeting

The Legal Division will present the following at the January 5, 2010 Commission Meeting:

DOCKET C-15708 (M) - Petition of John N. Houston, Jr., d/b/a Houston Trucking for reinstatement of Motor Carrier Certificate F2124 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-15716 (M) - Petition of Outdoor Solutions, Inc., for reinstatement of Motor Carrier Certificate F3905 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-15721 (M) - Petition of Riley Chestang Trucking for reinstatement of Motor Carrier Certificate F4018 which was revoked due to Petitioner's failure to maintain proper proof of cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-15729 (M) - Petition of Lloyd Thomas Guinn, d/b/a T & P Hauling for reinstatement of Motor Carrier Certificate F4263 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-15696 (M) - Petition of Bonded Moving & Storage Co., Inc. for reinstatement of Motor Carrier Certificate 755 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-15680 (M) - Petition of Wiregrass Courier Service, LLC for reinstatement of Motor Carrier Certificate F2898 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET 31224 (M) - Motor Carrier Certificate F2420 was transferred to Maples Trucking, Inc. ("Maples") by Commission Order dated August 27, 2009. That Order also required Maples to file proof of liability and cargo insurance coverage and obtain registration numbers and properly identify its vehicles within 90 days of the effective date of the Order. The required filings have not been made.

Recommend: Cancellation on 30-days' notice

DOCKET C-15755; 29852 (M) - Petition of Stephen Joe DeWeese, d/b/a S & G Trucking for cancellation of Motor Carrier Certificate F3365. Motor Carrier Certificate F3365 was revoked by Commission Order dated December 1, 2009, (Informal Docket C-15755) due to Petitioner's failure to maintain proper proof of cargo insurance coverage.

Recommend: Reinstate Certificate F3365 for the sole purpose of cancelling in good standing/grant cancellation as requested

DOCKET 31216 (M) - *Alabama Public Service Commission v. A-1 Brick, Sand & Mortar, Inc., et al.* Motor Carrier Annual Report Proceeding. Hearing held on September 30, 2009, for all motor carriers who failed to file Annual Reports for 2008 operations. Alternate Hearing held on November 17, 2009, for those carriers who failed to file Annual Reports for 2008 operations and/or appear at the September 30, 2009, hearing.

Recommend: Revocation of all carriers who failed to appear at Show Cause or Alternate Hearing; dismissal from proceeding of carriers who have now complied.

DOCKET C-15642 (G) - Petition of John Alan Carr, d/b/a Carr Trucking for reinstatement of Motor Carrier Certificate F2203 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-15718 (G) - Petition of James A. Smith Transportation, Inc. for reinstatement of Motor Carrier Certificate F1057 which was revoked due to Petitioner's failure to maintain proper proof of cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-15682 (G) - Petition of Pace Runners, Inc. for reinstatement of Motor Carrier Certificate F2863 which was revoked due to Petitioner's failure to maintain proper proof of cargo and liability insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-15438 (G) - Petition of Manuel E. Jones, d/b/a Jones Trucking for reinstatement of Motor Carrier Certificate F3156 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage.

Recommend: Grant/Reinstatement



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SECRETARY

MEMORANDUM

DATE: December 30, 2009

TO: Commission President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker
Division Directors

FROM: Legal Division

SUBJECT: Supplemental Agenda (1) - January 5, 2010 Commission Meeting

The Legal Division will present the following at the January 5, 2010 Commission Meeting:

DOCKET 31294 (M) - Unopposed application to transfer Motor Carrier Certificate F767
FROM: Joseph C. McNair, Sr., d/b/a Jo-Mar Delivery Service, TO: B & D Logistics, Inc., d/b/a Jo-Mar Delivery Service.

Recommend: Approval

DOCKET C-15732; 31276 (M) - Unopposed application to transfer Motor Carrier Certificate F1701
FROM: Roger E. Wilder, d/b/a R J Auto Transport ("R J"), TO: R J Auto Transport, Inc. (Docket 31276). Motor Carrier Certificate F1701 was revoked by Commission Order (Informal Docket C-15732) dated November 3, 2009, due to R J's failure to maintain proper proof of liability and cargo insurance coverage.

Recommend: Vacate C-15732/Reinstate Certificate F1701 for the sole purpose of transferring Certificate F1701 in good standing/Approval of transfer application

LEGAL DIVISION AGENDA
January 5, 2010 Commission Meeting
December 30, 2009
PAGE #2

DOCKET 31253 (M) - Application of NextGen Communications, Inc. for approval of a Certificate of Public Convenience and Necessity to provide Facilities-based E911 Telecommunications Services in the State of Alabama. There was no intervention. A hearing was held on November 10, 2009, in which staff participated.

Recommend: Approval